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WP*

ORIGINAL

(11)
9-5-00
SC

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRADY L. DAVIS,	:	
Plaintiff	:	
	:	No. 1:CV-00-00-0543
v.	:	
	:	(JURY TRIAL DEMANDED)
FRANK GILLIS, RAYMOND W.	:	
REEDER, BRIAN STOUT, WILLIAM	:	(Judge Rambo)
WARD, LEE GROVER, CHARLES	:	FILED
CUSTER and WILMA SEWELL,	:	HARRISBURG, PA
Defendants	:	SEP 01 2000

MOTION TO DISMISS

MARY E. D'ANDREA, CLERK
Per *MARY E. D'ANDREA, CLERK*

Defendants, Frank Gillis, Raymond W. Reeder, Brian Stout, William Ward, Lee Grover, Charles Custer and Wilma Sewell, through their attorneys, hereby respectfully move the Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the complaint.

A brief in support of this motion will be filed pursuant to Local Rule 7.5 of the United States District Court for the Middle District of Pennsylvania.

WHEREFORE, the Court should dismiss the complaint.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

BY: *Michael A. Farnan*
MICHAEL A. FARNAN
Deputy Attorney General

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Harrisburg, PA 17120
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Date: September 1, 2000

SUSAN J. FORNEY
Chief Deputy Attorney General
Litigation Section

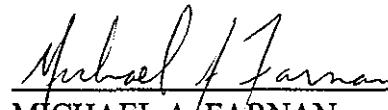
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WARD, LEE GROVER, CHARLES :
CUSTER and WILMA SEWELL, :
Defendants :

CERTIFICATE OF SERVICE

I, Michael A. Farnan, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on September 1, 2000, I served a true and correct copy of the foregoing Motion to Dismiss, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

Brady L. Davis, BX-3685
SCI - Coal Township
1 Kelley Drive
Coal Township, PA 17866


MICHAEL A/FARNAN
MICHAEL A/FARNAN
Deputy Attorney General